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Attorneys for Defendant
EFRAIN REYES

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

EFRAIN REYES et al,

Defendant.

Case No. CR 18-417 CRB [JCS]

EFRAIN REYES' *EX PARTE*
APPLICATION FOR PERMISSION TO
RELOCATE, TRAVEL OUTSIDE OF
THE NORTHERN DISTRICT, AND
TERMINATE DRUG TESTING
CONDITIONS; [Proposed] Order

I, Ashley Riser, declare:

1. I represent Defendant Efrain Reyes in the above-entitled matter. He is currently released an unsecured \$50,000 bond with travel restricted to the Northern District of California. The purpose of this application is to request permission for Mr. Reyes to relocate. This application is also requesting the modification of Mr. Reyes' travel restrictions and the termination of his drug testing and counseling conditions.
2. On June 25, 2019, Mr. Reyes pled guilty to a single count of Conspiracy to Distribute and Possess with Intent to Distribute Methamphetamine. The Honorable Charles R. Breyer has set Mr. Reyes' sentencing for June 3, 2020 at 1:30 PM.
3. Mr. Reyes is requesting permission to relocate to Chino Hills, California, which is located in the Central District of California, on April 30, 2020. Mr. Reyes is requesting permission

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1 to relocate to Chino Hills because his landlord is evicting him due to non-payment of rent.

2 Mr. Reyes is unable to pay rent because he is unable to work due to the coronavirus.

3 If the Court grants Mr. Reyes' request, Mr. Reyes, his girlfriend, their daughter, and his
4 newborn son would live with his wife's aunt in Chino Hills. Mr. Reyes would work with his
5 father in construction.

6 4. Thus, Mr. Reyes is requesting a modification of his travel conditions. Currently, his travel is
7 restricted to the Northern District of California. However, Mr. Reyes is requesting that,
8 beginning April 30, 2020, his travel be restricted to the Northern and Central Districts of
9 California.

10 5. Finally, Mr. Reyes is requesting the Court to remove his drug testing and counseling
11 conditions. Mr. Reyes has been under Pretrial Services supervision since October 2018.
12 Aside from a single positive test for marijuana in July 2019, Mr. Reyes has always tested
13 negative for drugs.

14 Pretrial Services Officer Josh Libby, who monitors Mr. Reyes, was first to recommend
15 removal of Mr. Reyes' drug-testing condition if he relocates to Southern California. He
16 advised that because the Central District of California utilizes outside vendors for drug
17 testing, they are unlikely to be as flexible with testing. Further, because a condition of Mr.
18 Reyes' bond is drug counseling, they may refer him to counseling, which may be difficult in
19 the current environment. Finally, it does not appear that Mr. Reyes needs drug testing any
20 longer, given his lengthy compliance with pretrial supervision and record of clean tests.

21 6. I have contacted AUSA Ross Weingarten, who informed me that he has no objection to Mr.
22 Reyes' request.

23 7. Pretrial Services Officer Josh Libby has informed me that he has no objection to this
24 request.

25 8. Based on the foregoing, I respectfully request that the conditions of Mr. Reyes' release be
26 modified so that he may be permitted to relocate to Chino Hills, California and travel within
27 the Central and Northern Districts of California. I am further requesting that the drug testing
28

1 and counseling conditions of his release are terminated. All other conditions of Mr. Reyes'
2 release shall remain the same. Furthermore, Mr. Reyes shall inform his pretrial services
3 officer of all travel and relocation-related details.
4

5 I declare under penalty of perjury under the laws of the United States that the foregoing is
6 true and correct.
7

8 DATED: April 20, 2020

/s/
9 ASHLEY RISER
Attorney for EFRAIN REYES

10 **[PROPOSED] ORDER**

11
12 Based on the foregoing, and good cause appearing:

13 **IT IS HEREBY ORDERED** that the conditions of Defendant Efrain Reyes' release shall
14 be modified as follows:

15 On April 30, 2020, Mr. Reyes is permitted to relocate to Chino Hills, California. Beginning
16 on April 30, 2020, Mr. Reyes' travel shall be restricted to the Central and Northern Districts of
17 California. Mr. Reyes' drug testing and conditions are terminated.

18 All other terms and conditions shall remain in place.
19

20 DATED: _____

21 HONORABLE MAG. JUDGE JOSEPH C. SPERO
22 United States Magistrate Court Judge
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